

Town Board Minutes

May 7, 2012

Meeting No. 11

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 7th day of May 2012 at 8:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
TERRENCE MCCracken, GENERAL CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

AT 8:50 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER AQUINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and a contractual matter.

At 9:27 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Allein, James, President Lancaster Rural Cemetery, spoke to the Town Board on the following matter:

- _ Comments regarding funding of Lancaster Rural Cemetery.

Beutler, Daniel, spoke to the Town Board on the following matter:

- _ Awarding of Bids for Public Safety Building.

Everts, Doug, spoke to the Town Board on the following matter:

- _ Concerns that drivers don't yield to pedestrians in crosswalks.

Hangauer, Carmen, spoke to the Town Board on the following matter:

- _ Comments regarding Lancaster Industrial Development Agency.

Hangauer, Dave, spoke to the Town Board on the following matter:

- _ Comments regarding bids for Public Safety Building.

Pasek, Julie, spoke to the Town Board on the following matter:

- _ Concerns about fatal accidents and lack of sidewalks in Town of Lancaster.

Scroger, Sheila, spoke to the Town Board on the following matter:

- _ Comments & concerns about fatal accident at corner of Sagebrush & Lake Avenue. Asks that road be striped.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Proposed Local Law of the Year 2012 entitled “Zoning Revision”.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

Proponent/ NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Opponent/ Comments/Question
--	--

NONE

ON MOTION BY COUNCIL MEMBER STEMPNIAK, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 8:16 P.M.

Decision on this matter was reserved.

May 7, 2012

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held April 16, 2012 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	ABSTAINED
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director of Administration and Finance, to wit:

Claim No. 24938 to Claim No. 25204 Inclusive
Total amount hereby authorized to be paid: \$554,653.36

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW)** = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

PREVIOUSLY TABLED PERMITS:

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
16993	Grau Builders	24 Logan Ln	Er. Dwlg.-Sin.

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure	Village
20065		Thomas Turtle	5430 Broadway	Er. Sign - Pole	(V/L)
20068		Cheryl F. Julian	381 Harris Hill Rd	Er. Res. Add.	
20069		Cheryl F. Julian	381 Harris Hill Rd	Er. Garage	
20070		Jeremy & Steffanie Williams	25 Ashley Dr	Er. Deck	(V/L)
20071		Neth & Sons Inc	21 Farmview Ct	Re-Roof	
20072		Thomas J. Hart	658 Pleasant View Dr	Er. Fence	
20073		G Lewis DBA Castle Home	309 Aurora St	Re-Roof	(V/L)
20074		Ronald & Susan Lojacono	167S Irwinwood Rd	Er. Deck	(V/L)
20075		John & Denise Kennedy	11 Juniper Blvd	Er. Fence	
20076		R.J. Zima Inc	31 Logan Ln	Inst. Ingrnd. Sprinkler	
20077		Frederick Hoffman III	20 St Marys St	Er. Res. Alt.	(V/L)
20078		The Vinyl Outlet Inc	53 Briarwood Dr	Er. Fence	(V/L)
20079		Sturdi Built Sheds LLC	15 Devonshire Ln	Er. Shed	
20080		The Vinyl Outlet Inc	15 Devonshire Ln	Er. Fence	
20081		George A. Phillips	71 Nichter Rd	Er. Pool-Abv Grnd	
20082		American Fence Company	11 Idlebrook Ct	Er. Fence	
20083		Dalex Construction Inc	5 Heritage Dr	Re-Roof	
20084		Robert & Elizabeth Kowal	12 Beatrix Cir	Er. Fence	
20085		Werner & Donna Brehm	25 Quail Hollow	Er. Shed	
20086		Anthony P. Tigani	18 Cayuga Ave	Dem. Bldg	(V/L)
20087		Anthony P. Tigani	18 Cayuga Ave	Er. Garage	(V/L)
20088		R.J. Zima Inc	10 Schiffler Ct	Inst. Ingrnd. Sprinkler	
20089		Scott J. Horvatiits	88 Fourth Ave	Er. Fence	(V/L)
20090		Robert Patterson	5 Walnut Creek Trl	Er. Shed	
20091		House Crafters LLC	46 Michael's Walk	Re-Roof	
20092		Peter & Sandra Sywak	128 Seneca Pl	Er. Fence	
20093		The Vinyl Outlet Inc	76 Country Pl	Er. Deck	
20094		Michael D. Harding	18 Tranquility Trl	Er. Deck	
20095		Besroi Construction	1 Roosevelt Ave	Re-Roof	(V/L)
20096		Besroi Construction	573 Ransom Rd	Re-Roof	
20097		Andrew & Shannon Bukaty	9 Red Clover Ln	Er. Deck	

20098	Steven Buscaglia	20 Carlisle St	Er. Deck	
20099	Neth & Sons Inc	22 Michael Anthony Ln	Re-Roof	
20100	Neth & Sons Inc	319 Enchanted Forest N	Re-Roof	
20101	Neth & Sons Inc	39 Whitestone Ln	Re-Roof	
20102	Dalex Construction Inc	7 Stone Hedge Dr	Re-Roof	
20103	Clark Jeffrey & O'Brien	35 Lake Forest Pky W	Re-Roof	
20104	Mark J. Sprada	255 Warner Rd	Re-Roof	
20105	The Pool Guy	36 Squirrel Run	Er. Pool-Abv Grnd	
20106	Chad Robinson	304 Broezel Ave	Er. Res. Add.	
20107	Matthew Petroski	85 Middlebury Ln	Er. Shed	
20108	15 Webster St., Inc.	6310 Genesee St	Er. Garage	
20109	Carrie A. Dyll	11 Wilkshire Pl	Er. Deck	(V/L)
20110	Marrano/Marc Equity Corp	30 Wetherby Way	Er. Dwlg.-Sin.	
20111	Marrano/marc Equity Corp	20 Wetherby Way	Er. Dwlg.-Sin.	
20112	Stockmohr Col. Inc	42 Michael's Walk	Re-Roof	
20113	Iroquois Fence Inc	30 Michael's Walk	Er. Fence	
20114	City Fence Inc.47	Hillside Pky	Er. Fence	
20115	Randaccio Builders	59 Chestnut Corner	Er. Dwlg.-Sin.	
20116	Christopher/Nicole Stolzman	19 Bowen Ave	Er. Fence	(V/L)
20117	Building Solutions	5957 Broadway	Re-Roof	
20118	Schuster Construction LLC	161 Brunck Rd	Er. Dwlg.-Sin.	
20119	Gregory & Elizabeth Czaja	2 Woodgate Dr	Er. Pool-Abv Grnd	
20120	Joanne Hajduk	1 Biscayne Dr	Er. Fence	
20121	Kurt & Danielle Juliano	32 Whitestone Ln	Er. Fence	
20122	Donald & Sharon Zak	31 Lindan Dr	Er. Res. Alt.	(V/L)
20123	A Best Inc	12 Regency Ct	Re-Roof	
20124	O'Brien Construction LLC	525 Lake Ave	Er. Res. Alt.	
20125	Sandi Cavar	30 Benson Dr	Er. Fence	(V/L)
20126	Neth & Son Inc	19 Grace Way	Re-Roof	
20127	Ralph & Barbara Krohn	18 Stream View Ln	Er. Pool-Abv Grnd	
20128	People Inc	5324 Broadway	Er. Fence	(V/L)
20129	Ryan Homes	13 Prairie Ln	Er. Dwlg.-Sin.	
20130	Tucker Homes-MJ Peterson	63 Chestnut Corner	Er. Dwlg.-Sin.	
20131	Janet R. Gilligan	84 Church St	Re-Roof	(V/L)
20132	4781 Transit Road Inc	4781 Transit Rd	Er. Comm. Add./Alt.	
20133	NEC Transit William LLC	5001 Transit Rd	Er. Sign -Temp	
20134	Thadeusz Leczynski	47 Benson Dr	Re-Roof	(V/L)
20135	Key Bank	5211 Broadway	Er. Sign - Pole	(V/L)
20136	Gerald & Rebecca Landahl	31 Summerfield Dr	Er. Pool-Abv Grnd	
20137	Gerald & Rebecca Landahl	31 Summerfield Dr	Er. Fence	
20138	Richard Martyna	7 Grafton Ct	Re-Roof	
20139	Sahlems Roofing & Siding Inc	8 Chapin Cir	Re-Roof	
20140	Sahlems Roofing & Siding Inc	268 Enchanted Forest N	Re-Roof	
20141	Sahlems Roofing & Siding Inc	18 Whitestone Ln	Re-Roof	
20142	Sahlems Roofing & Siding Inc	26 Whitestone Ln	Re-Roof	
20143	David & Tracy De Santis	3 Candlestick Ct	Re-Roof	
20144	Marzec Construction Inc	410 Seneca Pl	Er. Res. Alt.	
20145	Michael Koziol	7 Chicory Ln	Er. Shed	
20146	Big Johns Construction	369 Seneca Pl	Re-Roof	
20147	RGGT LLC	19 Sussex Ln	Re-Roof	
20148	Dalex Construction Inc	52 Field Ave	Re-Roof	(V/L)
20149	Susan Burger	37 Running Brook Dr	Er. Fence	

20150	Thomas Samborski	4888 William St	Er. Shed	
20151	C M & Kathryn Crawford	4786 William St	Er. Fence	
20152	The Maple Guy Const. Inc	260 Pleasant View Dr	Re-Roof	
20153	Christopher & Melissa Leumer	222 EnchantedForest N	Er. Shed	
20154	Buddy Nguyen	4780 William St	Er. Res. Alt.	
20155	Andrew Snios	122 Brunswick Rd	Er. Fence	(V/L)
20156	John & Susan Puskar	4897 William St	Re-Roof	
20157	Robert Benkleman	681 Pleasant View Dr	Er. Fence	
20158	Duane & Darryl Carr	5208 Genesee St	Er. Fence	
20159	Leveled Contracting Inc	699 Pleasant View Dr	Re-Roof	
20160	Jack & Karen Krnjaich	11 Sussex Ln	Er. Res. Alt.	
20161	Northeast Pool Connection Inc	7 Stutzman Rd	Er. Pool-In Grnd	
20162	Sandra Carlson	5 Plumb Creek Trl	Er. Fence	
20163	Ernest & Dolores Propis	13 Rose St	Er. Pool-Abv Grnd	
20164	Pleasant Meadows Assoc LLC	58 Sterling Pl	Inst. Ingrnd. Sprinkler	
20165	House Crafters LLC	315 Iroquois Ave	Re-Roof	
20166	House Crafters LLC	21 Bentley Cir	Re-Roof	
20167	House Crafters LLC	9 Stream View Ln	Re-Roof	
20168	House Crafters LLC	68 Harvey Dr	Re-Roof	(V/L)
20169	House Crafters LLC	329 Iroquois Ave	Re-Roof	
20170	Matthew & Laurie Lis	40 Stream View Ln	Er. Pool-Abv Grnd	
20171	Joe Christ	20 Cedar Brook Dr	Re-Roof	
20172	Mammoth Const. Services	19 Farmview Ct	Re-Roof	
20173	The Vinyl Outlet Inc	32 Wetherby Way	Er. Deck	
20174	Walden Holdings Inc	6336 Broadway	Re-Roof	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by
letterdated April 12, 2012, has requested the addition of a member to the roster of said
fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster
hereby confirms the addition to the membership of the Twin District Volunteer Fire
Company the following individual:

ADDITION:

Timothy Dickenson
Lancaster, New York

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town of Lancaster has worked closely with the Lancaster Industrial Development Agency (LIDA) in the areas of business growth, business retention and job creation; and

WHEREAS, the LIDA has played a major role in helping to preserve and expand our town's tax base, adding to our overall quality of life; and

WHEREAS, the Lancaster Town Board has relied on the LIDA for valuable input in formulating economic development policies for our community, as well as input into community development planning, land use issues and the development of our Comprehensive Plan; and

WHEREAS, the Town Board continues to look to LIDA to play a primary role in assisting with developing strategies for the expansion and retention of businesses and jobs in the Town of Lancaster; and

WHEREAS, many towns are experiencing the need to develop new economic development strategies for dealing with vacant properties and areas that have experienced dis-investment and view their local IDA's as major participants in developing those policies and programs for designating selected "Re-Development Zones" and serving as the lead agency for encouraging new investment and projects within those zones; and

WHEREAS, recent developments point to the crucial role local IDA's will play in developing policies that balance environmental protection with the need for economic development and removing legal and bureaucratic barriers to economic development and job creation; and

WHEREAS, the County of Erie and the Buffalo Niagara Partnership have advanced the "Framework for Regional Growth" (FRG) as a regional growth strategy promoting growth within existing sewer districts, most of which are located in areas serviced by a local IDA and will require the active participation of that IDA to implement the goals of the FRG; and

WHEREAS, currently efforts are underway by the Erie County Industrial Development Agency to streamline and coordinate existing economic development incentives, programs and policies to better integrate the specific redevelopment needs

of brownfields and greyfields and the coordination of new regional commercial and retail development policies to focus on matching markets with redeveloped and re-useable properties; and

WHEREAS, several municipalities have undertaken the adoption of comprehensive land use plans and the reform of existing zones to facilitate commercial and industrial reuse and revitalization which will involve the active participation of local IDA's; and

WHEREAS, proposals are now being advanced by various elected officials at the local and state levels that would severely restrict the role and tools available to local IDA's to assist their respective communities with these critical issues.

NOW, THEREFORE, BE IT

RESOLVED, that the Lancaster Town Board opposes any legislative attempt at the local or state level that would alter, modify or abolish the current operation of the LIDA without local IDA's participating as equal partners in any discussions to revise, reform or change the current system and structure of addressing economic development policy; and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be sent to the Governor of the State of New York, every member of the Western New York State Senate and Assembly delegations, the Erie County Executive and the members of the Erie County Legislature.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

THE FOLLOWING RESOLUTION WAS OFFERED	
BY SUPERVISOR FUDOLI,	WHO
MOVED ITS ADOPTION,	SECONDED BY
COUNCIL MEMBER RUFFINO,	TO WIT:

WHEREAS, the General Crew Chief, by letter dated April 16, 2012, has requested the appointment of ten (10) laborers, part-time, seasonal to work in the Parks, Recreation and Forestry Department of the Town of Lancaster for the 2012 Spring/Summer season, and

WHEREAS, these positions are necessary to provide the department with pre-season work including lawn maintenance, athletic field preparation, spring clean-up and forestry maintenance.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of laborer, part-time, seasonal for the 2012 Spring/Summer season in the Parks, Recreation and Forestry Department at the following rates, and that this being a part-time position provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part-time temporary employees.

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Adam Bertucci (rehire) Lancaster, NY 14086	\$7.25	May 21, 2012
Matthew Bertucci (rehire) Lancaster, NY 14086	\$7.25	May 21, 2012
Brian Clark (rehire) Lancaster, NY 14086	\$7.25	May 21, 2012
Geoffrey Franger (rehire) Lancaster, NY 14086	\$7.25	May 14, 2012
Steven Goehle (rehire) Lancaster, NY 14086	\$7.90	May 7, 2012
Alexander Greco (rehire) Lancaster, NY 14086	\$7.25	May 14, 2012
Edwin Kamela (rehire) Lancaster, NY 14086	\$7.25	May 14, 2012
Tommy Krickovich (rehire) Lancaster, NY 14086	\$7.25	May 7, 2012
Joseph Lucarelli (rehire) Lancaster, NY 14086	\$7.25	May 21, 2012
Ronald Witt (rehire) Lancaster, NY 14086	\$7.25	May 7, 2012

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letters dated April 23, 2012 and April 27, 2012, has requested the appointment of three (3) part-time seasonal laborers to work in the Highway Department for the 2012 Summer season.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be appointed to the position of laborer part-time, seasonal for the 2012 Summer season in the Highway Department effective May 8, 2012, and that this being a part time position provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

NAME	RATE
Joshua Mertzlufft (re-hire) Lancaster, New York	\$8.00 per hour
Jeremy Wyse (re-hire) Lancaster, New York	\$8.00 per hour
Justin Michael (re-hire) Lancaster, NY 14086	\$8.00 per hour

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

WHEREAS, a proposed Local Law of the Year 2012 entitled "RIGHT TO FARM", and further designated as Chapter 19 of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Ruffino on the 19th day of March, 2012, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on April 2, 2012;

**NOW, THEREFORE, BE IT
ENACTED**, by the Town Board of the Town of Lancaster, Local Law No. 2 of the Year 2012, entitled "RIGHT TO FARM" and designated as Chapter 19 of the Code of the Town of Lancaster, County of Erie and State of New York, which reads as follows:

Proposed
Local Law
Of the Year 2012

A LOCAL LAW TO MAINTAIN AND PRESERVE THE RURAL TRADITIONS AND CHARACTER OF THE TOWN, TO PERMIT THE CONTINUATION OF AGRICULTURAL PRACTICES, TO PROTECT THE EXISTENCE AND OPERATION OF FARMS, TO ENCOURAGE THE INITIATION AND EXPANSION OF FARMS AND AGRIBUSINESSES, AND TO PROMOTE NEW WAYS TO RESOLVE DISPUTES CONCERNING AGRICULTURAL PRACTICES AND FARM OPERATIONS. IN ORDER TO MAINTAIN A VIABLE FARMING ECONOMY IN LANCASTER IT IS NECESSARY TO LIMIT THE CIRCUMSTANCES UNDER WHICH FARMING MAY BE DEEMED TO A NUISANCE AND ALLOW AGRICULTURAL PRACTICES INHERENT TO AND NECESSARY FOR THE BUSINESS OF FARMING TO PROCEED AND BE UNDERTAKEN FREE OF UNREASONABLE AND UNWARRANTED INTERFERENCE OR RESTRICTION.

RIGHT TO FARM

§19 -1. Legislative Intent and Purpose

§19 -2. Definitions

§19 -3. Right-to-Farm Declaration

§19 -4. Notification of Real Estate Buyers and Prospective Neighbors:

§19 -5. Resolution of Disputes

§19 -6. Severability Clause

§19 -7. Precedence

§19 -8. Effective Date

BE IT ENACTED, by the Town Board of the Town of Lancaster, New York as follows:

§19 -1. Legislative Intent

The Board recognizes that farming is an essential enterprise an important industry which enhances the economic base, natural environment and quality of life in Lancaster. Therefore, the Town Board of Lancaster finds and declares that this Town encourages its agriculture and urges understanding of and cooperation with the necessary day to day operations involved in farming.

It is the general purpose and intent of this law to maintain and preserve the rural traditions and character of the town, to permit the continuation of agricultural practices, to protect the existence and operation of farms, to encourage the initiation and expansion of farms and agribusinesses, and to promote new ways to resolve disputes concerning agricultural practices and farm operations. In order to maintain a viable farming economy in Lancaster it is necessary to limit the circumstances under which farming may be deemed to be a nuisance and allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference of restriction.

§19 -2. Definitions

1. FARMLAND - Land used in agricultural production, as defined in subdivision four of Section 301 of Article 25AA of the State Agriculture and Markets Law.

2. FARMER - Any person, organization, entity, association, partnership, limited liability company, or corporation engaged in the business of agriculture, whether for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock.

3. AGRICULTURAL PRODUCTS - Those products as defined in Section 301(2) of Article 25AA of the State Agriculture and Markets Law, including but not limited to:

- a. Field crops, including corn, wheat, rye, barley, hay, potatoes and dry beans.
- b. Fruits, including apples, peaches, grapes, and berries.
- c. Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
- d. Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
- e. Maple sap.
- f. Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump.
- g. Woody biomass, which means short rotation woody crops raised for bioenergy, and shall not include farm woodland.
- h. For purposes of this law, Agricultural Products do not include, and this law does not extend, to 1) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, farmed deer, farmed buffalo, fur bearing animals, milk, eggs and furs, and 2) Aquaculture products, including fish, fish products, water plants and shellfish.

4. FARM WOODLAND - Land used for production and sale of woodland products, including but not limited to logs, lumber, posts and firewood.

5. AGRICULTURAL PRACTICES - those practices necessary for the on-farm production, preparation and marketing of agricultural commodities. Examples of such practices include, but are not limited to, operation of farm equipment, proper use of agricultural chemicals and other crop protection methods, and construction and use of farm structures and fences.

6. FARM OPERATION – As defined in Section 301(11) in the State Agriculture and Markets Law.

§19 -3. Right-to-Farm Declaration.

Farmers, as well as those employed, retained, or otherwise authorized to act on behalf of farmers, may lawfully engage in agricultural practices within this Town at all such times and at all such locations as are reasonably necessary to conduct the business of agriculture. For any agricultural practice, in determining the reasonableness of the time, place, and methodology of such practice, due weight and construction shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.

Agricultural practices conducted on farmland shall not be found to be a public or private nuisance if such agricultural practices are:

1. Reasonable and necessary to the particular farm or farm operation,
2. Conducted in a manner which is not negligent or reckless,
3. Conducted in conformity with generally accepted and sound agricultural practices:
4. Conducted in conformity with all local state and federal laws and regulations,
5. Conducted in a manner which does not constitute a threat to public health and safety or cause injury to health or safety of any person, and

6. Conducted in manner which does not unreasonably obstruct the free passage or use of navigable waters or public roadways.

Nothing in this local law shall be construed to prohibit an aggrieved party from recovering from damages for bodily injury or wrongful death due to a failure to follow sound agricultural practices, as outlined in this section.

§19 -4. Notification of Real Estate Buyers and Prospective Neighbors:

In order to promote harmony between farmers and their neighbors, the Town requires land holders and/or their agents and assigns to comply with Section 310 of Article 25AA of the State Agriculture and Markets Law and provide notice to prospective purchasers and occupants as follows: "It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products and also for its natural and ecological value. This notice is to inform prospective residents that farming activities occur within the Town. Such farming activities may include, but are not limited to, activities that cause noise, dust, smoke, and odors."

A copy of this notice shall be included as an addendum to the purchase and sale contract at the time an offer to purchase is made.

In addition, this notice shall be included in building permits and on plats of subdivision submitted for approval pursuant to Town Law, section 276.

§19 -5. Resolution of Disputes.

a. Should any controversy arise regarding any inconveniences or discomfort occasioned by agricultural operations which cannot be settled by direct negotiation between the parties involved, either party may submit the controversy to a dispute resolution committee as set forth below in an attempt to resolve the matter prior to the filing of any court action and prior to a request for a determination by the Commissioner of Agriculture and Markets about whether the practice in question is sound pursuant to Section 308 of Article 25AA of the State Agriculture and Markets Law.

b. Any controversy between the parties shall be submitted to the committee within thirty (30) days of the last date of occurrence of the particular activity giving rise to the controversy or the date the party became aware of the occurrence.

c. The committee shall be composed of three (3) members selected from the county including one representative from the County Agricultural and Farmland Protection Board, one person from local government, and one person mutually agreed upon by both parties involved in the dispute.

d. The effectiveness of the committee as a forum for the resolution of disputes is dependent upon full discussion and complete presentation of all pertinent facts concerning the dispute in order to eliminate any misunderstandings. The parties are encouraged to cooperate in the exchange of pertinent information concerning the controversy.

e. The controversy shall be presented to the committee by written request of one of the parties within the time limits specified. Thereafter, the committee may investigate the merits of the matter and within five (5) days of the meeting render a written decision to the parties. At the time of the meeting, both parties shall have an opportunity to present what each considers to be pertinent facts. No party bringing a complaint to the committee for settlement or resolution may be represented by counsel. The time limits provided in this subsection for action by the committee may be extended upon the written stipulation of all parties in the dispute.

f. Any reasonable costs associated with the functioning of the committee process shall be borne by the participants.

§19 -6. Severability Clause.

If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not effect the remainder of this local law. The Town hereby declares that it would have passed this local law and section and subsection hereof. Irrespective of the fact any one or more of these sections, subsections, sentences, clauses or phases may be declared unconstitutional or invalid.

§19 -7. Precedence.

This Local Law and its provisions are in addition to all other applicable laws, rules and regulations.

§19 -8. Effective Date.

This Local Law shall be effective immediately upon filing with the Town of Lancaster and the Secretary of State pursuant to Section 27 of Municipal Home Rule Law .

**BE IT FURTHER
RESOLVED**, that the Town Clerk of the Town shall:

- A. Immediately post a copy of the Local Law of the Year 2012 on the Town Bulletin Board, and

- B. Within ten (10) days, publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication, and

- C. Maintain a file in the Town Clerk's office on Local Law of the Year 2012, with all proof of publication and posting required for adoption, and

- D. File certified copies of Local Law of the Year 2012 within ten (10) days of adoption with:
 - a) Town Clerk's Office
 - b) One (1) copy with the Office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

NOTICE OF ADOPTION

LOCAL LAW NO. 2

OF THE YEAR 2012

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on May 7, 2012, Local Law No. 2 of the Year 2012, entitled: "RIGHT TO FARM", briefly described as follows:

“A LOCAL LAW TO MAINTAIN AND PRESERVE THE RURAL TRADITIONS AND CHARACTER OF THE TOWN, TO PERMIT THE CONTINUATION OF AGRICULTURAL PRACTICES, TO PROTECT THE EXISTANCE AND OPERATION OF FARMS, TO ENCOURAGE THE INITIATION AND EXPANSION OF FARMS AND AGRIBUSINESSES, AND TO PROMOTE NEW WAYS TO RESOLVE DSPUTES CONCERNING AGRICULTURAL PRACTICES AND FARM OPERATIONS. IN ORDER TO MAINTAIN A VIABLE FARMING ECONOMY IN LANCASTER IT IS NECESSARY TO LIMIT THE CIRCUMSTANCES UNDER WHICH FARMING MAY BE DEEMED A NUISANCE AND ALLOW AGRICULTURAL PRACTICES INHERENT TO AND NECESSARY FOR THE BUSINESS OF FARMING TO PROCEED AND BE UNDERTAKEN FREE OF UNREASONABLE AND UNWARRANTED INTERFERENCE OR RESTRICTION.”

May 7, 2012

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY, that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of the Local Law of the Year 2012, with the original thereof filed in my office at Lancaster, New York, on the 7th day of May, 2012, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town,
this 7th day of May, 2012.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, this resolution hereby amends a prior resolution submitted and approved by the Lancaster Town Board on April 16, 2012; and

WHEREAS, the prior resolution named April Gontarek of Lancaster, New York as being appointed to the position of regular part-time tutor for the Lancaster Youth Bureau; and

WHEREAS, the name of April Gontarek was incorrectly used in correspondence from the Lancaster Youth Bureau dated April 10, 2012; and

WHEREAS, this resolution hereby rescinds the appointment of April Gontarek from the previously stated position; and

WHEREAS, the Executive Director of the Youth Bureau by letter dated April 19, 2012, has recommended appointment for Andrea Gontarek as regular part-time tutor for the Town of Lancaster Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of tutor regular part-time in the Town of Lancaster Youth Bureau effective April 16, 2012, and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Andrea Gontarek (new hire) Lancaster, NY 14086	Tutor	\$10.00/hr.

BE IT FURTHER,

RESOLVED, that Supervisor of the Town of Lancaster takes the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for the proposed Public Safety Building (Police Headquarters and Court Building) utilizing four prime contracts for the General Construction, Electrical Work, Mechanical Work and Plumbing Work, and

WHEREAS, a bond resolution was adopted on April 13, 2011 for a maximum amount not to exceed Ten Million dollars (\$10,000,000.00), and

WHEREAS, bids were received, opened and reviewed on April 18, 2012, and

WHEREAS, Foit-Albert Associates, a professional architectural and engineering consulting firm retained by the Town of Lancaster to provide professional services in regards to the proposed Public Safety Building, by letter dated April 26, 2012, has recommended award of the bid as follows:

General Construction to Javen Construction Company, Inc., 2575 Baird Road, Penfield, New York 14526 being the lowest responsible bidder with the base bid amount of \$3,989,000.00 and Alternate No. 1 bid amount of \$647,000.00, and

Electrical Work to Industrial Power and Lighting Corp., 701 Seneca Street, Suite 500, Buffalo, New York 14210 being the lowest responsible bidder with the base bid amount of \$748,900.00 and Alternate No. 1 bid amount of \$79,900.00, and

Mechanical Work to Greater Niagara Mechanical Inc., 7311 Ward Road, North Tonawanda, New York 14120 being the lowest responsible bidder with the base bid amount of \$872,700.00 and Alternate No. 1 bid amount of \$19,300.00, and

Plumbing Work to Jim Ando Plumbing Inc., 4534 Clinton Street, Buffalo, New York 14225 being the lowest responsible bidder with the base bid amount of \$482,500.00 and Alternate No. 1 bid amount of \$6,400.00, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby awards the bids for the construction of the proposed Public Safety Building (Police Headquarters and Court Building) to the following:

General Construction to Javen Construction Company, Inc., in the combined amount of \$4,636,000.00 and

Electrical Work to Industrial Power and Lighting Corp., in the combined amount of \$828,800.00 and

Mechanical Work to Greater Niagara Mechanical Inc., in the combined amount of \$892,000.00 and

Plumbing Work to Jim Ando Plumbing Inc., in the combined amount of \$488,900.00 and

BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute these contracts on behalf of the Town of Lancaster and to do all things necessary to effectuate the intent of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster approved PIP Application No. 694 for waterlines in Hidden Pines Subdivision on March 5, 2012, and

WHEREAS, said resolution identifies the installation of three (3) fire hydrant assemblies as part of the work, and

WHEREAS, the Erie County Water Authority has recently stated that they will no longer formally approve the design for the waterline and allow construction to proceed until the Lancaster Town Board passes a resolution agreeing to pay the annual hydrant fees for said hydrants once the hydrants are installed, tested, approved and placed in service.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster agrees to commit to pay the Erie County Water Authority's annual fire hydrant maintenance fee for three (3) fire hydrants within the Hidden Pines Subdivision once the hydrants are installed, tested, approved and placed in service.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

SUSPENDED RESOLUTION:

Supervisor Fudoli requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER
RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, a
suspension was granted.

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Supervisor Dino J. Fudoli, Supervisor for the Town of
Lancaster, has requested by letter dated May 4, 2012 that the Town Board authorize
the use of the Town of Lancaster Highway Department's barriers for use at the
Lancaster Market, and

WHEREAS, the Lancaster Market will run from May 5, 2012
through October 28, 2012, and be located at the Lancaster Lanes, 4913 Transit Road,
Lancaster, New York, with the hours of operation being 8 A.M. to 1 P.M. on Saturdays
and 9 A.M. to 2 P.M. on Sundays, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster
hereby authorizes the use of the Town of Lancaster Highway Department's barriers for
use at the Lancaster Market to be held from May 5, 2012 through October 28, 2012,
and be located at the Lancaster Lanes, 4913 Transit Road, Lancaster, New York, with
the hours of operation being 8 A.M. to
1 P.M. on Saturdays and 9 A.M. to 2 P.M. on Sundays.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

May 7, 2012

Communications & Reports

170. Twin District Volunteer Fire Co. to Town Clerk –
Request for change to roster. Disposition = Resolution 5/7/12

171. Town Clerk to General Crew Chief, Town Justices, Youth Bureau Director, Carmen
Ciccarelli –

Primary & general election dates and notification of use of Town buildings for polling places. Disposition = Received & Filed

- 172. General Crew Chief to Town Board –
Request for part-time temporary seasonal appointments.
Disposition = Resolution 5/7/12**
- 173. Terrence Boyle, President Friends of Reinstein Nature Preserve to Supervisor -
Request for support for “Buffalo's Backyard Wilderness”.
Disposition = Town Board**
- 174. Christopher Tryjankowski, PCS Plumbing and Heating, Inc. to Supervisor –
Request to withdraw plumbing bid for the new Police and Court Building.
Disposition = Town Engineer & Town Board**
- 175. Sig, April and Taylor Domanowski to Supervisor –
Support of “Right To Farm” in Lancaster. Disposition = Received & Filed**
- 176. Executive Director of Youth Bureau to Town Board –
Correction to April 10, 2012 correspondence recommending a regular part-time tutor. First name was incorrect. Disposition = Resolution 5/7/12**
- 177. Town Clerk to Building Inspector –
Transmittal of request from Richard J. Koch for renewal of Special Use Permit.
Disposition = Town Board, Building Inspector & Town Attorney**
- 178. Highway Superintendent to Town Board –
Request for resolution to hire a seasonal employee.
Disposition = Resolution 5/7/12**
- 179. Highway Superintendent to Town Board –
Request for resolution to hire a seasonal employee.
Disposition = Resolution 5/7/12**
- 180. Village of Lancaster to Town Board –
Minutes of regular meeting held April 9, 2012. Disposition = Received & Filed**
- 181. Village of Lancaster to Town Board –
Minutes of organizational meeting held April 9, 2012.
Disposition = Received & Filed**
- 182. Highway Superintendent to Town Board –
Request for permission to return millings for credit towards blacktop.
Disposition = Received & Filed**
- 183. Highway Superintendent to Planning Board Chairman –
Notice of no concerns regarding NOCO Convenience Store Project #4182.
Disposition = Planning Committee**
- 184. Food Bank of WNY to Town Board –
Information regarding Walk for Hunger 2012. Disposition = Received & Filed**
- 185. Erie County/Town of Amherst to Town Clerk –
Notice of Household Hazardous Waste Drop-Off Day on May 12, 2012.
Disposition = Received & Filed**
- 186. Town Clerk to Town Board –
Transmittal of Special Use Permit application - Donald Staubitz, 5151 Genesee St.
at Transit Rd. Disposition = Town Board, Building Inspector & Town Attorney**

187. **Wayne Drescher, Drescher & Malecki LLP to Town Clerk -
Copy of Annual Update Document of the Town of Lancaster, New York for the
year ended December 31, 2011. Disposition = Received & Filed**
188. **Carmen Hangauer to Town Clerk, Supervisor, County Legislator McCracken,
Chief of Police and Town Code Enforcement Officer -
Concerns with traffic and speed at the corner of Pavement Road and Nichter
Road. Disposition = Police Chief**
189. **Town Attorney to David Denk, NYSDEC, Carl Dimmig ECDPWW, Thomas Casey
EC Health Dept., Matt Salah Div. Sewerage Mgmt., Ed Rutkowski NYSDOT, and
Michael Alspaugh ECDEP -
Notification of submission of site plan by developer for NOCO Convenience Store
with Fueling Facilities and related improvements at 00 Walden Avenue, and
request for lead agency designation for the Town of Lancaster.
Disposition = Received & Filed**
190. **Rachel Chrostowski, Erie County Envir. & Planning to various municipalities -
Information regarding upcoming training event for municipal board members.
Disposition = Planning Board & Zoning Board of Appeals**
191. **Gwen Howard, Senior Project Manager Foit Albert to Supervisor -
Recommendation of contracts to low bidders for Town of Lancaster Police and
Courts Facility. Disposition = Resolution 5/7/12**
192. **Highway Superintendent to Town Board -
Request for resolution to hire a seasonal employee.
Disposition = Resolution 5/7/12**
193. **Town Clerk to Town Board -
Copy of transmittal of third settlement payment to Erie County for 2012
County/Town Tax Warrant. Disposition = Received & Filed**
194. **Highway Superintendent to Town Board -
Request for the Town to look to acquire property to be used for a staging or yard
area for the Town Highway Department. Disposition = Town Board**
195. **Highway Superintendent to Town Board -
Request for Town Board decision regarding upgrading Town Highway
Department's equipment and vehicles. Disposition = Town Board**
196. **Town Clerk to Town Board -
Monthly report for April 2012. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned at 9:27
P.M. in memory of Bryce Buchholz and William Burns.

Signed_____

Johanna M. Coleman, Town Clerk